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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
DUONG, THOMAS	
ART UNIT	**PAPER NUMBER**
2145	

DATE MAILED: 03/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/988,220	TAMARGO, J. WILLIAM	
	Examiner	Art Unit	
	Thomas Duong	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 January 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the applicants Amendment filed on January 3, 2006. Applicant amended *claims 1, 15, 25, and 32-33. Claims 1-37* are presented for further consideration and examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. *Claims 1-3, 5, 11-17, 19, 21-27, 29-30, and 32* are rejected under 35 U.S.C. 102(e) as being anticipated by Zimmers et al. (US006816878B1).

4. With regard to *claims 1, 15, and 25*, Zimmers discloses,

- *monitoring the at least one source of data for content information related to risk events;* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64)

  Zimmers teaches of an alert notification system that *"[includes] a database server 104 for storing a database of information ... to evaluate alerts and to deliver alert*

notifications to appropriate persons" (Zimmers, col.6, lines 41-45). According to Zimmers, the system also includes *"a Notification Parsing System 106, which is connected to a receiver 108 that receives continuous data feed from a satellite 109 and/or is connected to a radio receiver ... that receives continuous data feeds from a radio transmitter"* (Zimmers, col.6, lines 41-52). Also, *"in addition to satellite and radio broadcasts, NPS 106 may also receive information via Internet destination"* (Zimmers, col.6, lines 55-58).

- *analyzing the content information to identify risk events related to a group of said individuals, and* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27)

  Zimmers teaches of an alert notification system that *"[includes] a database server 104 for storing a database of information ... to evaluate alerts and to deliver alert notifications to appropriate persons"* (Zimmers, col.6, lines 41-45). According to Zimmers, the system also includes *"a Notification Parsing System 106, which is connected to a receiver 108 that receives continuous data feed from a satellite 109 and/or is connected to a radio receiver ... that receives continuous data feeds from a radio transmitter"* (Zimmers, col.6, lines 41-52). Zimmers claims of *"analyzing identifications of atmospheric conditions in said database to identify target persons and/or locations to be notified of said atmospheric condition, retrieving from said database, individual matching communications identifiers associated with said target persons and/or locations, and establishing a communications identifier and delivering an announcement of said atmospheric condition via said communications connection"* (Zimmers, col.26, lines 13-21).

- *issuing an electronic message regarding the identified risk event to said group.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27)

  Zimmers teaches of an alert notification system that *"[includes] a database server 104 for storing a database of information ... to evaluate alerts and to deliver alert notifications to appropriate persons"* (Zimmers, col.6, lines 41-45). According to Zimmers, the system also includes *"a Notification Parsing System 106, which is connected to a receiver 108 that receives continuous data feed from a satellite 109 and/or is connected to a radio receiver ... that receives continuous data feeds from a radio transmitter"* (Zimmers, col.6, lines 41-52). Zimmers claims of *"analyzing identifications of atmospheric conditions in said database to identify target persons and/or locations to be notified of said atmospheric condition, retrieving from said database, individual matching communications identifiers associated with said target persons and/or locations, and establishing a communications identifier and delivering an announcement of said atmospheric condition via said communications connection"* (Zimmers, col.26, lines 13-21).

- *formatting the electronic message into a first message format suitable for a first type of receiver device and into a second message format suitable for a second type of receiver device'. and* (Zimmers, col.4, lines 29-45; col.9, lines 1-7; col.11, lines 27-33; col.24, lines 38-46)

  Zimmers teaches of an alert notification system that *"are equally applicable to the use of other communications devices which may eventually become as popular as the telephone, such as computer-networks, pagers, or other devices"* (Zimmers, col.4, lines 32-36) by *"selecting from a database, communications*

identifiers (e.g., telephone/pager/facsimile numbers, computer network addresses such as Internet e-mail addresses or IP addresses), establishing communication connections using the identifiers, and then delivering an appropriate warning via the connection" (Zimmers, col.4, lines 39-44). According to Zimmers, *"mobile wireless devices that can be tracked for the purposes of providing alert notifications, are not limited to cellular phones, but could also include personal digital assistant (PDA) devices, or laptop or palmtop computers having wireless communications capabilities. Furthermore, alerts may be delivered to the mobile wireless device via technologies other than voice telephone, such as via paging services (voice or text), or via Internet or e-mail communications"* (Zimmers, col.24, lines 38-45). Hence, Zimmers anticipates of formatting and delivering the warning notifications to different devices as well as multiple users using different methods.

- *sending the first message format to a set of individuals in said group having the first type of receiver device and sending the second message format to a second set of individuals in said group having the second type of receiver device.* (Zimmers, col.4, lines 29-45; col.9, lines 1-7; col.11, lines 27-33; col.24, lines 38-46)

  Zimmers teaches of an alert notification system that *"are equally applicable to the use of other communications devices which may eventually become as popular as the telephone, such as computer-networks, pagers, or other devices"* (Zimmers, col.4, lines 32-36) by *"selecting from a database, communications identifiers (e.g., telephone/pager/facsimile numbers, computer network addresses such as Internet e-mail addresses or IP addresses), establishing*

communication connections using the identifiers, and then delivering an appropriate warning via the connection" (Zimmers, col.4, lines 39-44). According to Zimmers, *"mobile wireless devices that can be tracked for the purposes of providing alert notifications, are not limited to cellular phones, but could also include personal digital assistant (PDA) devices, or laptop or palmtop computers having wireless communications capabilities. Furthermore, alerts may be delivered to the mobile wireless device via technologies other than voice telephone, such as via paging services (voice or text), or via Internet or e-mail communications"* (Zimmers, col.24, lines 38-45). Hence, Zimmers anticipates of formatting and delivering the warning notifications to different devices as well as multiple users using different methods.

5. With regard to *claims 2-3, 17, 19, and 29*, Zimmers discloses,

- *wherein step the at least source data includes a plurality data sources, and step (b) the plurality of data sources are regularly monitored for content information.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27)
- *wherein the monitoring of at least one data source is performed continually.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27)

6. With regard to *claims 5, 11-12, and 30*, Zimmers discloses,

- *wherein the identification of the risk event is performed by a scope analyzer that determines if the content information relates to said individuals.* (Zimmers, col.1

line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27)

7. With regard to *claims 13*, Zimmers discloses,

- *wherein the individuals are subscribers to an electronic message service.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.11, lines 19-49; col.12, lines 22-31; col.26, lines 1-27)

8. With regard to *claims 14 and 32*, Zimmers discloses,

- *further comprising the step (e) of repeating steps (a) to (b) to generate a second electronic message regarding a second risk before completing the issuance of a first electronic message regarding a first risk; (f) determining that the second electronic message has priority over the first electronic message, and (g) suspending issuance of the first electronic message to issue the second electronic message.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.7, lines 29-45; col.14, line 3 – col.15, line 53)

9. With regard to *claims 16*, Zimmers discloses,

- *wherein the computer server further comprises a risk analyzer that prioritizes said one or more risk events, and causes said content engine to first issue said messages regarding a high priority risk event.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.7, lines 29-45; col.14, line 3 – col.15, line 53)

10. With regard to *claims 21-24*, Zimmers discloses,

- *wherein said data sources are remote from the server, and a wide area network links said data sources to said server.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27)
- *wherein said wide area network is an Internet.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27)
- *wherein said data sources include a geological activity survey data source and a weather data source.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27)
- *wherein said content engine is electronically linked to a public sender interface, wherein said interface includes a user terminal to accept manual entry of messages to be sent by the content engine.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27)

11. With regard to *claims 26-27*, Zimmers discloses,

- *wherein said subscriber database is a preexisting database of subscribers to an organization.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.11, lines 10-18; col.26, lines 1-27)
- *wherein said preexisting database of subscribers is a plurality of databases of subscribers to different organizations.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.11, lines 10-18; col.26, lines 1-27)

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. *Claims 4, 6-10, 18, and 28* are rejected under 35 U.S.C. 103(a) as being unpatentable over Zimmers et al. (US006816878B1) and in view of Ehrlich et al. (US006442269B1).

14. With regard to *claims 4, 6-10, 18, 28*, Zimmers discloses,

See *claims 1, 15 and 25* rejection as detailed above.

However, Zimmers does not explicitly disclose,

- *wherein the monitoring of at least one data source is performed by periodically polling the data source.*
- *wherein the monitoring of at least one data source includes sequentially monitoring a plurality of data sources in accordance with a data source polling priority determined by an access control program.*

Ehrlich teaches,

- *wherein the monitoring of at least one data source is performed by periodically polling the data source.* (Ehrlich, col.3, lines 43-61; col.5, line 57 – col.6, line 2) Flanagan states that it is the conventional method to *"periodically poll a data source and store the poll result in a database"* (Ehrlich, col.5, lines 64-66).
- *wherein the monitoring of at least one data source includes sequentially monitoring a plurality of data sources in accordance with a data source polling*

priority determined by an access control program. (Ehrlich, col.3, lines 43-61; col.5, line 57 – col.6, line 2)

Flanagan states that it is the conventional method to *"periodically poll a data source and store the poll result in a database"* (Ehrlich, col.5, lines 64-66).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Flanagan and the teachings of Zimmers to provide an alternative method of collecting data from data sources, for the purpose of generating alerts or notifications of interested environmental conditions, by incorporating the well known method of periodically polling a data source and storing the poll result in a separate database.

15. *Claims 33-37* are rejected under 35 U.S.C. 103(a) as being unpatentable over Zimmers et al. (US006816878B1) and in view of Hass et al. (US006725255B1).

16. With regard to *claims 33-37,* Zimmers discloses,

- *monitoring the at least one source of data for content information related to risk events;* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64)

  Zimmers teaches of an alert notification system that *"[includes] a database server 104 for storing a database of information ... to evaluate alerts and to deliver alert notifications to appropriate persons"* (Zimmers, col.6, lines 41-45). According to Zimmers, the system also includes *"a Notification Parsing System 106, which is connected to a receiver 108 that receives continuous data feed from a satellite 109 and/or is connected to a radio receiver ... that receives continuous data*

feeds from a radio transmitter" (Zimmers, col.6, lines 41-52). Also, *"in addition to satellite and radio broadcasts, NPS 106 may also receive information via Internet destination"* (Zimmers, col.6, lines 55-58).

- *analyzing the content information to identify risk events related to a group of said individuals, and* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27)

  Zimmers teaches of an alert notification system that *"[includes] a database server 104 for storing a database of information ... to evaluate alerts and to deliver alert notifications to appropriate persons"* (Zimmers, col.6, lines 41-45). According to Zimmers, the system also includes *"a Notification Parsing System 106, which is connected to a receiver 108 that receives continuous data feed from a satellite 109 and/or is connected to a radio receiver ... that receives continuous data feeds from a radio transmitter"* (Zimmers, col.6, lines 41-52). Zimmers claims of *"analyzing identifications of atmospheric conditions in said database to identify target persons and/or locations to be notified of said atmospheric condition, retrieving from said database, individual matching communications identifiers associated with said target persons and/or locations, and establishing a communications identifier and delivering an announcement of said atmospheric condition via said communications connection"* (Zimmers, col.26, lines 13-21).

- *generating a first electronic message regarding the identified risk event to said group, wherein said first electronic message is intended for a first type of electronic device.* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27)

Zimmers teaches of an alert notification system that *"[includes] a database server 104 for storing a database of information ... to evaluate alerts and to deliver alert notifications to appropriate persons"* (Zimmers, col.6, lines 41-45). According to Zimmers, the system also includes *"a Notification Parsing System 106, which is connected to a receiver 108 that receives continuous data feed from a satellite 109 and/or is connected to a radio receiver ... that receives continuous data feeds from a radio transmitter"* (Zimmers, col.6, lines 41-52). Zimmers claims of *"analyzing identifications of atmospheric conditions in said database to identify target persons and/or locations to be notified of said atmospheric condition, retrieving from said database, individual matching communications identifiers associated with said target persons and/or locations, and establishing a communications identifier and delivering an announcement of said atmospheric condition via said communications connection"* (Zimmers, col.26, lines 13-21).

- *sending the first electronic message to a first set of individuals of said group known to have the first type of electronic communication device, and* (Zimmers, col.1 line 59 – col.2, line 40; col.4, line 17 – col.5, line 27; col.6, lines 37-64; col.26, lines 1-27; col.4, lines 29-45; col.9, lines 1-7; col.11, lines 27-33; col.24, lines 38-46)

  Zimmers teaches of an alert notification system that *"[includes] a database server 104 for storing a database of information ... to evaluate alerts and to deliver alert notifications to appropriate persons"* (Zimmers, col.6, lines 41-45). According to Zimmers, the system also includes *"a Notification Parsing System 106, which is connected to a receiver 108 that receives continuous data feed from a satellite 109 and/or is connected to a radio receiver ... that receives continuous data*

feeds from a radio transmitter" (Zimmers, col.6, lines 41-52). Zimmers claims of *"analyzing identifications of atmospheric conditions in said database to identify target persons and/or locations to be notified of said atmospheric condition, retrieving from said database, individual matching communications identifiers associated with said target persons and/or locations, and establishing a communications identifier and delivering an announcement of said atmospheric condition via said communications connection"* (Zimmers, col.26, lines 13-21). Zimmers teaches of an alert notification system that *"are equally applicable to the use of other communications devices which may eventually become as popular as the telephone, such as computer-networks, pagers, or other devices"* (Zimmers, col.4, lines 32-36) by *"selecting from a database, communications identifiers (e.g., telephone/pager/facsimile numbers, computer network addresses such as Internet e-mail addresses or IP addresses), establishing communication connections using the identifiers, and then delivering an appropriate warning via the connection"* (Zimmers, col.4, lines 39-44). According to Zimmers, *"mobile wireless devices that can be tracked for the purposes of providing alert notifications, are not limited to cellular phones, but could also include personal digital assistant (PDA) devices, or laptop or palmtop computers having wireless communications capabilities. Furthermore, alerts may be delivered to the mobile wireless device via technologies other than voice telephone, such as via paging services (voice or text), or via Internet or e-mail communications"* (Zimmers, col.24, lines 38-45). Hence, Zimmers anticipates of formatting and delivering the warning notifications to different devices as well as multiple users using different methods.

However, Zimmers do not explicitly disclose,

- *generating an alternative electronic message regarding the identified risk event to said group, wherein said alternative electronic message is intended for a second type of communication device;*
- *sending the second electronic message to a second set of individuals of said group known to have the second type of electronic communication device.*

Hass teaches,

- *generating an alternative electronic message regarding the identified risk event to said group, wherein said alternative electronic message is intended for a second type of communication device;* (Hass, 5, lines 25-65)
- *sending the second electronic message to a second set of individuals of said group known to have the second type of electronic communication device.* (Hass, 5, lines 25-65)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Hass with the teachings of Zimmers to provide multiple methods for alerting or notifying the user or groups of users of interested environmental conditions.

Response to Arguments

17. Applicant's arguments with respect to *claims 1-37* have been considered but they are not persuasive.

18. With regard to *claims 1-6, 10-19, 21-30, and 32*, the Applicants point out that:

- *The rejection of claims 1 to 3, 5, 11 to 17, 19, 21 to 27. 29, 30 and 32 as anticipated by Zimmers et al (US Patent 6,816,878) is traversed and has been overcome by amendment. Zimmers et al do not teach sending messages of different type or format or selecting messages to be sent depending on the type of receiver possessed by the subscriber.*
- *The rejection of dependent claims 4, 6 to 10, 18 and 28 as being obvious over Zimmers et al in view of Ehrlich et al (US Patent 6.442,269) is traversed and has been overcome by amendment for the same reasons as stated above. Further, Ehrlich et al do not suggest that Zimmers et al be modified to send messages of different types or formats, or to select messages to be sent depending on the type of receiver possessed by the subscriber.*

However, the Examiner finds that the Applicants' arguments are not persuasive because Zimmers teaches of an alert notification system that *"are equally applicable to the use of other communications devices which may eventually become as popular as the telephone, such as computer-networks, pagers, or other devices"* (Zimmers, col.4, lines 32-36) by *"selecting from a database, communications identifiers (e.g., telephone/pager/facsimile numbers, computer network addresses such as Internet e-mail addresses or IP addresses), establishing communication connections using the identifiers, and then delivering an appropriate warning via the connection"* (Zimmers, col.4, lines 39-44). According to Zimmers, *"mobile wireless devices that can be tracked for the purposes of providing alert notifications, are not limited to cellular phones, but could also include personal digital assistant (PDA) devices, or laptop or palmtop computers having wireless communications capabilities. Furthermore, alerts may be delivered to the mobile wireless device via*

technologies other than voice telephone, such as via paging services (voice or text), or via Internet or e-mail communications" (Zimmers, col.24, lines 38-45). Hence, Zimmers anticipates of formatting and delivering the warning notifications to different devices as well as multiple users using different methods based on the users' settings from the database.

19. With regard to *claims 33-37*, the Applicants point out that:

- *The rejection of claims 33 to 37 as being obvious over Zimmers et al in view of Hass et al (US Patent 6,725,255). Independent claim 33 has been amended to make more clear that different generated messages are sent to different sets of individuals. Claim 33 requires that different electronic message alerts, e.g., different alert formats, be sent to different subscribers depending on the type of communication devices possessed by each subscriber.*

However, the Examiner finds that the Applicants' arguments are not persuasive because Zimmers teaches of an alert notification system that *"are equally applicable to the use of other communications devices which may eventually become as popular as the telephone, such as computer-networks, pagers, or other devices"* (Zimmers, col.4, lines 32-36) by *"selecting from a database, communications identifiers (e.g., telephone/pager/facsimile numbers, computer network addresses such as Internet e-mail addresses or IP addresses), establishing communication connections using the identifiers, and then delivering an appropriate warning via the connection"* (Zimmers, col.4, lines 39-44). According to Zimmers, *"mobile wireless devices that can be tracked for the purposes of providing alert notifications, are not limited to cellular phones, but could also include personal digital assistant (PDA)*

devices, or laptop or palmtop computers having wireless communications capabilities. Furthermore, alerts may be delivered to the mobile wireless device via technologies other than voice telephone, such as via paging services (voice or text), or via Internet or e-mail communications" (Zimmers, col.24, lines 38-45). Hence, Zimmers anticipates of formatting and delivering the warning notifications to different devices as well as multiple users using different methods based on the users' settings from the database.

Conclusion

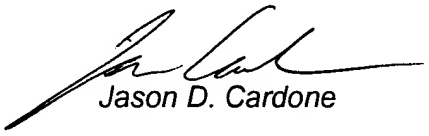
20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the

examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on 571/272-3933. The fax phone numbers for the organization where this application or proceeding is assigned are 571/273-8300 for regular communications and 571/273-8300 for After Final communications.

Thomas Duong (AU2145)

March 13, 2006



Jason D. Cardone

Supervisory PE (AU2145)